



**STATE OF TENNESSEE
DEPARTMENT OF ENVIRONMENT AND CONSERVATION
JACKSON ENVIRONMENTAL FIELD OFFICE
DIVISION OF WATER RESOURCES
1625 HOLLYWOOD DRIVE
JACKSON, TN 38305**

October 30, 2015

Mr. Regie Castellaw, P.E.
General Manager
Brownsville Energy Authority
PO Box 424
Brownsville, TN 38012

**Subject: General Permit for Utility Line Crossings
Aquatic Resource Alteration Permit (ARAP) NR1502.065
Brownsville 2015 CDBG Sewer System Improvements - Gravity Sewer Crossing of
Sugar Creek
Brownsville Energy Authority
Brownsville, Haywood County, Tennessee**

Dear Mr. Castellaw:

We have reviewed your application for the proposed removal of an existing 12' aerial gravity sewer line and replacement with a new 18" gravity sewer line crossing Sugar Creek at the Brownsville Wastewater Trickling Filter Plant. Pursuant to the *Tennessee Water Quality Control Act of 1977* (T.C.A. § 69-3-101 et seq.) and supporting regulations the Division of Water Resources is required to determine whether the activity described in the attached notice of coverage will violate applicable water quality standards. This permit may also serve as a federal §401 water quality certification (pursuant to 40 C.F.R. §121.2).

This activity is governed by the *General Permit for Utility Line Crossings*. The work must be accomplished in conformance with accepted plans and information submitted in support of application NR1502.065 and the limitations and conditions set forth in the *General Permit for Utility Line Crossings* (enclosed). It is the responsibility of the permittee to ensure that all contractors involved with this project have read and understand the permit conditions before the project begins.

Please note that no blasting will be permitted in the excavation of trenches that parallel or lie within 50 feet of a stream or wetland, including all stream crossings. Excavation and fill activities shall be separated from flowing waters and all contours must be returned to pre-project conditions. All disturbed areas must be revegetated or otherwise stabilized upon completion of construction.

Annual Maintenance and Coverage Termination

Permittees will be assessed an annual maintenance fee of \$350 for coverages that exceed one year. Please note that this maintenance fee does not grant the right to extend coverage past the expiration date of the General Permit itself.

Permittees may terminate coverage prior to the expiration date by submitting a completed notice of termination form (NOT), which is available on the division's webpage at <http://www.tn.gov/environment/permits/arap.shtml>. A complete NOT should include

photodocumentation of the finished project area. The division will notify the permittee that either the NOT was received and accepted, or that the permit coverage is not eligible for termination (due to existing deficiencies) and has not been terminated.

We appreciate your attention to the terms and conditions of this general permit for aquatic resource alteration. If you have any questions, please contact Mr. Gregory Overstreet at (731) 512-1308 or by e-mail at Gregg.Overstreet@tn.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Conner Franklin", with a stylized flourish at the end.

Conner Franklin
Environmental Program Manager
Division of Water Resources
Jackson Environmental Field Office

Encl: NOC and copy of general permit



Under the Aquatic Resource Alteration
General Permit for Utility Line Crossings

Tennessee Department of Environment and Conservation
Division of Water Resources
William R. Snodgrass Tennessee Tower
312 Rosa L. Parks Avenue, 11th Floor
Nashville TN 37243

ARAP - NR1502.065

Under authority of the Tennessee Water Quality Control Act of 1977 (TWQCA, T.C.A. 69-3-101 et seq.) the Division of Water Resources has determined the activity described below would not violate applicable water quality standards.

This activity is governed by the *General Permit for Utility Line Crossings* issued pursuant to the TWQCA. The work must be accomplished in conformance with accepted plans, specifications, data and other information submitted in support of application NR1502.065 and the terms and conditions set forth in the above referenced general permit.

PERMITTEE: Brownsville Energy Authority

AUTHORIZED WORK: removal of an existing 12' aerial gravity sewer line and replacement with a new 18" gravity sewer line crossing Sugar Creek at the Brownsville Wastewater Trickling Filter Plant

LOCATION: 170 W. Cooper St. (T.F.), Haywood County

Latitude: 35.58388 Longitude: -89.259546

WATERBODY NAME: Sugar Creek

EFFECTIVE DATE: 30-OCT-15

EXPIRATION DATE: 28-OCT-16

This does not preclude requirements of other federal, state or local laws. In particular, work shall not commence until the applicant has received the federal §404 permit from the U. S. Army Corps of Engineers, a §26a permit from the Tennessee Valley Authority or authorization under a Tennessee NPDES Storm Water Construction Permit where necessary. This permit may also serve as a federal §401 water quality certification (pursuant to 33 U.S.C. §1341) since the planned activity was reviewed and the division has reasonable assurance that the activity will be conducted in a manner that will not violate applicable water quality standards (T.C.A. § 69-3-101 et seq. or of § 301, 302, 303, 306 or 307 of *The Clean Water Act*).

The state of Tennessee may modify, suspend or revoke this authorization should the state determine that the activity results in more than an insignificant degradation of applicable water quality standards or violation of the TWQCA. Failure to comply with permit terms may result in penalties in accordance with T.C.A. §69-3-115.